

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#  
DATE FILED: 8/2/12

LAW  
OFFICES  
OF

wise counsel for growing businesses®

RONALD I. PALTROWITZ

By Telecopier (212) 805-7933

Hon. Andrew J. Peck  
United States Magistrate Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312

**MEMO ENDORSED**

TEL: 212 880-0946 FAX: 212 694-0947  
100 Broadway, 11th Floor, New York, NY 10038  
r.paltrowitz@ny.com

-P2

July 31, 2012

Re: RGI Brands, LLC v. Cognac Brisset-Aurige S.A.R.L.  
12 CIV. 1369 (BSJ) (AJP)

Your Honor:

The undersigned is counsel for plaintiff in the above-captioned action. Counsel for defendant join me in respectfully requesting that each of the dates set forth in the Rule 16 IPTC Scheduling Order issued by Your Honor in the above-referenced matter on July 19, 2012 be extended by sixty (60) days in order for the parties to attempt to resolve this matter. The Scheduling Order requires that mandatory initial disclosure be completed by August 10, 2012, an initial status conference be held on August 17, 2012, expert reports by September 10 and all expert discovery by October 10, 2012, notice of intent to file for summary judgment by November 2, 2012, and either summary judgment motion(s) or joint proposed pre-trial order by November 21, 2012.

The parties to this dispute are the producer and US distributor of vodka made in France. Both parties are relatively small companies. The plaintiff is located in Michigan and the defendant is located in France. This lawsuit is the result of a commercial dispute regarding the performance of both parties under a written distribution agreement.

The parties conducted an initial Meet and Confer on July 30, 2012. At that time, the parties began discussing a commercial resolution of the dispute. In this regard, the parties have agreed to meet (probably by telephone) before August 31, to pursue settlement. If this meeting is not completely successful, the parties and their counsel intend to participate in a settlement conference before Your Honor on September 19, 20, or 21 (the dates were provided by the Court's scheduling clerk on July 30 in response to the parties' inquiry).

Considering the amounts at stake and relatively limited financial resources of the parties, counsel for both sides believe that having their clients incur substantial expenses in conducting discovery during the next sixty days while these settlement negotiations are pending may materially inhibit the parties' ability to reach a settlement. Accordingly, in light of these attempts at settlement, counsel believe it would be in the best interest of the parties and the Court to grant the extension as requested.

Hon. Andrew J. Peck,  
United States Magistrate Judge  
July 31, 2012  
Page -2-

LAW  
OFFICES  
OF

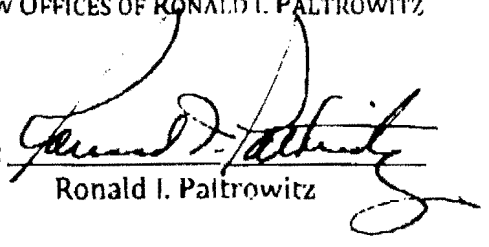
wise counsel for growing businesses.

RONALD I. PALTROWITZ

This is the first request for extensions of time and all counsel consent to the request.

Very truly yours,

LAW OFFICES OF RONALD I. PALTROWITZ

By:   
Ronald I. Paltrowitz

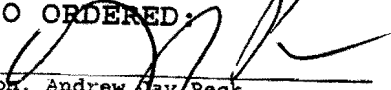
RIP:hs

cc(via email): Sullivan & Worcester LLP,  
Counsel for Defendants  
George O. Richardson, III, Esq.  
Mitchell C. Stein, Esq.

## MEMO ENDORSED

1. All time with PD 14/14, started 14/17, so  
wrote PD 11/10/13. Court shall agree on  
date for Mr. Richardson to appear.  
2. All 8/17 work is cancelled.  
3. Court shall contact me when they want a  
status report. I will provide status report  
your own. Not that I will need to  
attend to status report. All status, court  
shall contact with call of Mr. Richardson  
status.

SO ORDERED:

  
Hon. Andrew J. Peck  
United States Magistrate Judge

BY ECF

any ECF! Richard  
2/2/12

## ECF TRANSCRIPTION SHEET



**ANDREW J. PECK**  
**UNITED STATES MAGISTRATE JUDGE**  
**UNITED STATES DISTRICT COURT**  
Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 1370  
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933  
Telephone No.: (212) 805-0036

**Dated: August 2, 2012**

**Total Number of Pages: 3**

### **TRANSCRIPTION OF MEMO ENDORSED ORDER**

1. All disc. cutoff 12/14, SJ notice 12/17, SJ motion or PTO 1/10/13. Counsel shall agree on dates for Rule 26a disclosure and expert reports.
2. The 8/17 conf. is cancelled.
3. Counsel shall contact me when they want a settlement conf. (but after attempts to settle on your own). Note that clients will need to attend the settlement conf. Alternatively, counsel shall contact the Court if there are any discovery issues.

**Copies to: All Counsel**  
**Judge Barbara S. Jones**